



2025:DHC:2649-DB



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IN THE HIGH COURT OF DELHI AT NEW DELHI***Date of decision: 16.04.2025***

+ W.P.(C) 4739/2025

GOVIND RAM MEENA AND ORS

.....Petitioners

Through: Mr.Durgesh Kumar Sharma,
Adv.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr.Tanveer Ahmed Ansari
SPC with Mr.Hilal Haider, GP
and Mr.Butul Khan, Adv.**CORAM:****HON'BLE MR. JUSTICE NAVIN CHAWLA****HON'BLE MS. JUSTICE RENU BHATNAGAR****NAVIN CHAWLA, J. (ORAL)****CM APPL. 21762/2025 (Exemption)**

1. Allowed, subject to all just exceptions.

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2. This petition has been filed challenging the Orders dated 20.09.2024 and 19.02.2025 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi ('learned Tribunal') in Original Application (O.A.) No. 2557/2023 titled "***Govind Ram Meena & Ors. v. Union of India & Ors.***" and in Contempt Petition (Civil) No. 19/2025 in O.A. No. 2557/2023 titled "***Govind Ram Meena & Ors. v. Prachi Pandey & Ors***", respectively.

3. The petitioners further claim for a Writ of Mandamus, directing



the respondents to grant relaxation to the petitioners in minimum qualifying marks for promotion to the post of Vice Principal, and grant consequential relief to the petitioners in form of promotion to the said post against the vacant SC/ST Category post.

4. To give a brief background to the present petition, the respondents issued a Notification for promotion to various posts including Vice Principal (LDCE) for the Jawahar Navodaya Vidyalayas (JNVs). The petitioners participated in the recruitment process. The minimum qualifying marks for the examination was set at 40%.

5. As the petitioners could not meet the qualifying marks, they filed the above O.A., praying for a direction from the learned Tribunal to the respondents to grant relaxation in the minimum standards prescribed.

6. The learned Tribunal, by its Impugned Order dated 20.09.2024, observed that in its limited jurisdiction it has, it would not be appropriate to pass an order directing relaxation to be given, however, directed the Competent Authority of the respondents to consider the case of the petitioners for grant of such relaxation in accordance with law. We quote the direction given in the Impugned Order as under:

“6. Acknowledging that we have limited jurisdiction lies with us with respect to relaxation, it would be appropriate that the matter is placed before the Competent Authority to consider the cause of the Applicants. The Competent Authority shall consider the cause of the Applicants, In light of i) the respondents have reduced the percentage in subsequent examination i.e. 40% to 30% and each of the Applicants have



obtained more than 35% ii) there are sufficient number of vacancies in the categories of to which the Applicants belong iii) relaxation has been extended to the post of Principal iv) DoP&T OM dated 21.01.1977 placed along with MA and any other rules and instructions. This exercise shall be done within a period of six weeks from the date of receipt of a certified copy of this Order. In case, the decision of the respondents finds favour to the Applicants, the Applicants shall be extended promotion.”

7. The respondents, however, rejected the representation of the petitioners by a detailed Order dated 29.11.2024, and refused to grant any relaxation in the minimum standard.
8. Aggrieved thereby, the petitioners filed the above-mentioned Contempt Petition, being C.P. No.19/2025, before the learned Tribunal. The said Petition has been dismissed by the learned Tribunal *vide* its Impugned Order dated 19.02.2025.
9. The learned counsel for the petitioners submits that the learned Tribunal has failed to appreciate that in the Order dated 29.11.2024, the respondents had merely reiterated their stand taken in the OA rather than re-considering the issue of grant of relaxation in terms of the Order dated 20.09.2024 passed by the learned Tribunal. He submits that, therefore, there was no genuine compliance with the Order dated 20.09.2024 by the respondents.
10. He further submits that, admittedly, there are more than 50 % of the SC/ST Category posts of Vice Principal lying vacant in the selection process. He submits that for the post of Principal, the respondents have given a relaxation of 10% in the qualifying marks for the Unreserved Category. He submits that there is no reason why



similar benefits should not be granted to the petitioners. He submits that in the subsequent recruitment process, again, relaxation has been given by the respondents for the SC/ST Category as well by reducing the qualifying marks from 40% to 35%.

11. We have considered the submissions made by the learned counsel for the petitioners.

12. As far as the challenge to the Order dated 20.09.2024 passed by the learned Tribunal is concerned, we find no merit in the same.

13. The learned Tribunal has rightly observed that given its limited jurisdiction, it is not for the learned Tribunal to grant relaxation in the prescribed standards for qualification for promotion to a particular post. It had, therefore, left it to the respondents to consider the same in the given facts and circumstances.

14. As far as the order dated 19.03.2025 is concerned, whether the Order dated 29.11.2024 passed by the respondents was a true compliance of the said Order, could not have been determined in a Contempt Petition. The remedy of the petitioners was to challenge the same in form of a separate Petition before the learned Tribunal, giving reasons why the same needs to be set aside by the learned Tribunal, if at all. The learned Tribunal, therefore, has rightly dismissed the Contempt Petition by observing that the validity of the Order dated 29.11.2024 cannot be tested in the Contempt Petition filed by the petitioners. We do not find any infirmity in the said Impugned Order as well.

15. Accordingly, we find no merit in the present petition. However, we leave it open to the petitioners to avail of their remedy against the



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Order dated 29.11.2024 passed by the respondents in accordance with law.

16. We make it clear that any observation made by the learned Tribunal in the O.A. or in the Contempt Petition, or by us in the present petition, would not, in any manner, influence the outcome of any such petition if filed by the petitioners and the same shall be adjudicated in accordance with law.

17. The petition is disposed of in the above terms.

NAVIN CHAWLA, J

RENU BHATNAGAR, J

APRIL 16, 2025/sg/ik

Click here to check corrigendum, if any